

COMMISSION HEARING EXAMINER DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>November 5, 2007</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2007-364-C</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>	ORDER NO.	<u>n/a-</u>

HEARING EXAMINER: **David Butler**

DOCKET DESCRIPTION:

Joint Application of PAETEC Communications, Inc., and US LEC of South Carolina Inc., for Approval of Intra-Corporate Merger, Assignment of Authorization and Cancellation of US LEC's Authority to Provide Telecommunications Service

MATTER UNDER CONSIDERATION:

Request for extension of deadline for submission of direct testimony past November 5, 2007.

HEARING EXAMINER ACTION:

Request granted. Attorney for Joint Applicants states that there may be a change in the subsidiary entity that is taking part in the merger-assignment of authorizations and/or customers. The precise entity is not known at this time. Accordingly, the attorney for the Joint Applicants asks for an extension of the deadline for the prefiling of direct testimony past the current deadline of November 5, 2007. It is asserted that such an extension would ensure that the direct testimony will be complete and accurate in all respects. Further, the Joint Applicants state that they will amend the Application and file direct testimony as soon as possible, and serve the filings on all parties of record. The only other party to this case, the Office of Regulatory Staff, has not taken a position on this request. Again, the request is granted, and all deadlines in the revised prefiling letter of October 16, 2007 are hereby held in abeyance until further notice. The Joint Applicants shall file a written report by Wednesday, November 14, 2007 with the Hearing Examiner and the Office of Regulatory Staff as to where they are in the process of amending the Application and when written direct prefiled testimony might be available. A new revised prefiling letter will be issued at a later date.